



# AMNESTY JUNIOR ACCESSORY DWELLING UNIT PERMIT APPLICATION

City of Sausalito | Community Development Department  
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## **WHAT IS AN AMNESTY PROGRAM FOR UNPERMITTED JUNIOR ACCESSORY DWELLING UNITS (JADUS)?**

A Junior Accessory Dwelling Unit (JADU) is halfway between renting a room to a roommate and having a full Accessory Dwelling Unit. JADUs are accessory to a Primary Dwelling Unit and are limited to 500 square feet in size. A Primary Dwelling Unit is the unit which the JADU is incorporated in, and, accessory to. JADUs are created from bedrooms within existing dwellings, and have an entrance into the dwelling and a separate entrance to the outside. JADUs are required to have separate cooking facilities (such as a kitchenette), but are allowed to have shared bathroom facilities with the main house.

An Amnesty JADU Permit is required to legalize an existing unpermitted JADU. A JADU amnesty period will run from March 31, 2019 through March 31, 2020, during which time property owners of existing unpermitted ADUs may apply for reprieve and legalization of the unit. During this period the permit fee for amnesty will be reduced.

If the existing unit is not legalized or removed during the amnesty period, the City may begin code enforcement action against the property owner after the conclusion of the amnesty period to either bring the unpermitted unit into conformance with the JADU regulations or remove the illegal unit. In such cases, the illegal unit may be subject to the applicable penalty fees.

The information in this packet summarizes the amnesty JADU regulations in the Sausalito Municipal Code (SMC). To review the full set of regulations related to JADUs, please refer SMC Section 10.44.085 at <https://www.codepublishing.com/CA/Sausalito/>.

## **THE AMNESTY JADU PERMIT PROCESS OVERVIEW**

Amnesty for an existing unpermitted JADU may be reviewed at the ministerial (staff level) if certain criteria are met.

**Step 1: Meet with a Planner.** A planner is available Monday through Thursday from 8:00am-4:30pm and on Fridays from 8:00am-noon. The planner will review the amnesty requirements. **Questions will be confidential and anonymous.**

**Step 2: Prepare plans and application materials.** The plans do not need to be drawn by an architect, but must be neat and to scale. Use the Application Submittal Checklist on page 2 of this form to ensure that the application is complete.

**Step 3: Submit your application and plans.** Staff will review your application and let you know if you are missing any materials. Complete applications must be received by **March 31, 2020** in order to be considered for amnesty. You should plan for approximately 30 days for the initial review. A decision will be made within 120 days of submitting your application.

**Step 4: Inspection.** Schedule a Junior Accessory Dwelling Unit Housing Inspection with the Building

Division and Fire Department. If corrections (i.e., for health and safety) are required, you must apply for a Building Permit to make the corrections.

**Step 5: Permit issuance.** If the JADU meets all of the staff-level requirements, Staff may issue an Amnesty JADU permit.

**\*It's in the property owner's best interest to take advantage of the amnesty program while it is offered.\***

## **SECTION 1 – APPLICATION SUBMITTAL CHECKLIST**

<b>Item</b>	<b>Description</b>	<b>Check If Submitted</b>
<b>Application Form</b>	Completed Amnesty JADU Permit Application Form with all required signatures	
<b>Fees</b>	<input type="checkbox"/> \$270 for Amnesty JADU Permit <input type="checkbox"/> \$35 for Plan Retention	
<b>Plans</b>	Three (3) sets of 24"x36" plans and one (1) set of reduced 8 1/2"x11" plans which include all of the following: <ul style="list-style-type: none"> <li>• <i>Site plan:</i> at 1/8" scale showing all property lines, location of all units and the JADU, and locations and dimensions of parking spaces. Site plan must indicate the size of each of unit.</li> <li>• <i>Floor plans:</i> Floor plans of the primary dwelling unit and the JADU, accurately scaled and dimensioned at 1/4" scale. Must indicate location of all bedrooms, living areas, kitchens, bathrooms, entrances, and the JADU connection to the primary dwelling unit.</li> <li>• <i>Elevations:</i> Accurately scaled architectural elevations at 1/4" scale, depicting exterior elements, windows, doors and decks, all colors and materials, and height from average natural grade. Indicate the location of the JADU.</li> </ul>	
<b>Evidence of Date Established</b>	At least two forms of evidence that the unit was created prior to June 30, 2018. Acceptable forms of evidence include, but are not limited to: <ul style="list-style-type: none"> <li>• Assessor's records</li> <li>• Rental contracts and/or receipts;</li> <li>• Income tax records;</li> <li>• Utility bills;</li> <li>• Contractor's bills; and/or</li> <li>• Written affidavits from former owners, tenants, or neighbors, signed and notarized under penalty of perjury</li> </ul>	
<b>Electronic Copies</b>	Provide electronic copies of all application materials.	

**SECTION 2 – CONTACT INFORMATION**

Property Owner Name	
Property Owner Address	
Property Owner Telephone	
Property Owner Email	
Applicant Name (Primary Project Contact)	
Applicant Address	
Applicant Telephone	
Applicant Email	

**SECTION 3 – JADU & PRIMARY DWELLING UNIT INFORMATION**

Primary Dwelling Unit Address	
Proposed JADU Address	
Assessor's Parcel Number (APN)	
Does the Amnesty JADU currently have a mailing address, or did the Amnesty JADU have a mailing address in the past?	
Was the Amnesty JADU included in a prior Census (i.e. did someone fill out a Census form for the unit?)	

## SECTION 4 - COMPLIANCE WITH JUNIOR ACCESSORY DWELLING UNIT STANDARDS

Item	TO BE COMPLETED BY APPLICANT			STAFF USE ONLY	
	JADU Standard	Yes	No	Compliance?	Staff Notes
Location	Is the parcel in a R-1-20, R-1-8, R-1-6, R-2-5, R-2-2.5, R-3, PR, H, or A Zoning District?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Density	Is there an existing dwelling unit on the parcel?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No	
	Is there an existing JADU on the parcel?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No	
	Is there an existing Accessory Dwelling Unit (ADU) on the parcel?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Owner Occupancy	Will the property owner occupy either the primary dwelling unit or the JADU?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Interior Conversion	Will the JADU be constructed within the existing walls of the primary dwelling unit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No	
	Will the JADU include an existing bedroom?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Access	Will the JADU have a separate entrance from the main entrance to the primary dwelling unit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No	
	Will the JADU have an interior entry to the primary dwelling unit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Efficiency Kitchen	Will the JADU have a sink with a maximum waste line diameter of 1.5 inches?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No	
	Will the JADU have a cooking facility with appliances that do not require electrical service greater than 120 volts, or natural or propane gas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No	
	Will the JADU have a food preparation counter and storage cabinets that are of reasonable size in relation to the size of the junior accessory dwelling unit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Maximum Unit Size	Is the proposed JADU no greater than 500 square feet?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Building and fire code requirements	Will the JADU have a smoke alarm that is connected to the smoke alarms in the main residence?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No	
	Will the JADU have a carbon monoxide detector?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Off-street parking	Does the primary dwelling unit meet the current off-street parking standards, or provide at least one-off street parking space?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No	

**SECTION 5 - STATEMENT OF PROPERTY OWNERSHIP AND ACKNOWLEDGEMENT & CERTIFICATION OF APPLICATION**

**Property Owned by Individual(s)**

I, \_\_\_\_\_, hereby state under penalty of perjury under the laws of the State of California that I am the record owner of the above-described subject property. I authorize the applicant designated in this application to act as my representative during consideration of this project by the City. I agree to be responsible for all costs incurred in connection with the processing of my application and appeals, if any. I shall defend, indemnify (including reimbursement of all fees and costs reasonably incurred by separate counsel retained by the City) and hold harmless the City and its elected and appointed officials, officers, agents and employees, from and against any and all liability, loss, damage, or expense, including without limitation reasonable attorney's fees which City may suffer or incur as a result of any claims relating to or arising from the City's approval of the project or any portion of the project. I furthermore acknowledge that if the Junior Accessory Dwelling Unit Permit is approved I must occupy either the primary unit or junior accessory dwelling unit as my primary residence. I understand that the contents of this document are a Public Record.

Signature of Owner \_\_\_\_\_ Date \_\_\_\_\_

**Property Owned by a Trust, LLC, Corporation, Partnership, or Other Entity**

*For a property owned by a trust, please attach the trust document or a certificate of trust, including any attachments thereto. For an LLC, corporation, partnership, or other entity, please attach proof of ownership and certification of the signer's authorization to enter into contracts on behalf of the entity.*

I/We, \_\_\_\_\_, hereby state under penalty of perjury under the laws of the State of California that the above-described subject property is owned by a trust, LLC, corporation, partnership, or other entity and that my/our signature/s on this application has/have been authorized by all necessary action required by the LLC, corporation, partnership, or other entity. I/We authorize the applicant designated in this application to act as my/our representative during consideration of this project by the City. I/We agree to be responsible for all costs incurred in connection with the processing of my/our application and appeals, if any. I/We shall defend, indemnify (including reimbursement of all fees and costs reasonably incurred by separate counsel retained by the City) and hold harmless the City and its elected and appointed officials, officers, agents and employees, from and against any and all liability, loss, damage, or expense, including without limitation reasonable attorney's fees which City may suffer or incur as a result of any claims relating to or arising from the City's approval of the project or any portion of the project. I/We furthermore acknowledge that if the Junior Accessory Dwelling Unit Permit is approved I/We must occupy either the primary unit or junior accessory dwelling unit as my/our primary residence. I/We understand that the contents of this document are a Public Record.

Signature \_\_\_\_\_  
Date \_\_\_\_\_  
Title \_\_\_\_\_

Signature \_\_\_\_\_  
Date \_\_\_\_\_  
Title \_\_\_\_\_

☐ Trustee(s) ☐ Partners: ☐ Limited or ☐ General ☐ Corporation ☐ Other

Name of trust, LLC, corporation, or other entity: \_\_\_\_\_

**Applicant Signature**

I, \_\_\_\_\_, hereby make application for approval of the junior accessory dwelling unit permit requested. I have read this application and hereby certify that the statements furnished above and in the attached exhibits present the data and information required for the accessory dwelling unit to the best of my ability, and that the facts, statements and information presented are true and correct to the best of my knowledge and belief. I understand that the contents of this document are a Public Record.

Signature of Applicant \_\_\_\_\_ Date \_\_\_\_\_

**SECTION 6 – FOR COMPLETION BY CITY STAFF ONLY**

DATE RECEIVED (MM-DD-YY)	
RECEIVED BY	
FEE	
RECEIPT NUMBER	
PROJECT NUMBER	
ZONING DISTRICT	

PERMIT DECISION	<input type="checkbox"/> Approval <input type="checkbox"/> Denial
DECISION DATE (MM-DD-YY)	
PRINTED NAME	
TITLE	
SIGNATURE	

**SECTION 7 – Advisory Notes**

1. Appropriate Building Permits are required prior to the occupancy of the Junior Accessory Dwelling Unit.
2. Deed Restriction. Prior to Building Permit issuance a deed restriction shall be recorded, in a form approved by the City Attorney, to ensure that:
  - a. The Junior Accessory Dwelling Unit shall not be sold separately from the primary dwelling unit.
  - b. The Junior Accessory Dwelling Unit is restricted to the size and attributes that conform to the Sausalito Municipal Code.
  - c. Either the Primary Dwelling Unit or Junior Accessory Dwelling Unit is owner-occupied.
  - d. If an Accessory Dwelling Unit permit is approved for this primary dwelling unit parcel, the property owner will either remove the Junior Accessory Dwelling Unit or obtain a conditional use permit for the Junior Accessory Dwelling Unit.
3. Appropriate Building Permits are required prior to the occupancy of the Junior Accessory Dwelling Unit.
4. A Fire District Inspection shall be required in order to determine final occupancy requirements.
5. The applicant shall contact the Marin Municipal Water District and Sausalito Marin City Sanitary District for additional permitting requirements.